

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

IN RE FRED DALE VAN WINKLE,)
)
Debtor,)
)
TAMMY SPRAGUE, personal representative of)
the estate of **FRED DALE VAN WINKLE** and)
BRIAN VAN WINKLE)
)
Plaintiffs–Appellees,)
)
vs.)
)
JOHN WILLIAMS, ELLEN B. WILLIAMS)
and **BELLEVIEW VALLEY LAND CO.,**)
INC.)
)
Defendants–Appellants.)

BAP NM 20-015

Bankr. No. 13–11743
Chapter 7

DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL

John Williams, Ellen B. Williams and Belleview Valley Land Co., Inc., Appellants, pursuant to Federal Rule of Bankruptcy Procedure 8009(a), hereby designates the following items to be included on appeal:

1. See attached **Exhibit “A,”** which is the Docket with Items to be included highlighted in yellow.
2. For clarity, the Docket Items to be included are #'s:
 - a. 19
 - b. 33
 - c. 64

d.	67
e.	68
f.	70
g.	73
h.	74
i.	78
j.	79
k.	82
l.	83
m.	94
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o.	97
p.	99
q.	100
r.	102
s.	103
t.	104
u.	105
v.	106
w.	109
x.	110
y.	111
z.	112
aa.	113.

Date: April 9, 2020

Martin, Dugan & Martin



By _____
W. T. Martin, Jr.
Kenneth D. Dugan
509 W. Pierce St.
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Carlsbad, NM 88221-2168
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Attorney for Appellants

CERTIFICATE OF SERVICE

I, W. T. Martin, Jr., certify that on April 9, 2020, I served copies of the foregoing ***Statement of Issues to be Presented*** on the following counsel of record and the Chapter 7 Trustee by way of CM/ECF and e-mail:

Joel Alan Gaffney, 6565 Americas Pkwy, Suite 200, Albuquerque, NM 87110 – Phone: (505) 563-5508; e-mail is: joel@gaffneylaw.com

Clarke C. Coll, 408 West College Blvd., Roswell, NM 88202; Phone is: (575) 623-2288; e-mail is: clarkecoll@gmail.com

Martin, Dugan & Martin



By _____
W. T. Martin, Jr.

EXHIBIT "A" MEANSNA, TR, APPEAL, REOPENED**U.S. BANKRUPTCY COURT
District of New Mexico (Albuquerque)
Bankruptcy Petition #: 13-11743-t7**

Assigned to: David T. Thuma
Chapter 7
Voluntary
No asset

Date filed: 05/21/2013
Date reopened (2): 03/13/2020
Debtor discharged: 08/26/2013
341 meeting: 06/18/2013
Deadline for objecting to discharge: 08/19/2013
Deadline for financial mgmt. course: 08/19/2013

Debtor disposition: Standard Discharge

Debtor
Fred Dale Van Winkle
PO Box 1691
Ruidoso, NM 88355
LINCOLN-NM
SSN / ITIN: xxx-xx-9361

represented by **R Trey Arvizu, III**
PO Box 1479
Las Cruces, NM 88004-1479
575-527-8600
Fax : 575-527-1199
Email: trey@arvizulaw.com
TERMINATED: 03/27/2020

Joel Alan Gaffney
Gaffney Law, PC
6565 America's Parkway #200
Albuquerque
Albuquerque, NM 87110
(505) 563-5508
Email: joel@gaffneylaw.com

Debtors Designated Representative
**Brian Van Winkle, as co-responsible party for the
estate of Fred Dale Van Winkle**

represented by **Joel Alan Gaffney**
(See above for address)

Debtors Designated Representative
**Tammy Sprague, as co-responsible party for the
estate of Fred Dale Van Winkle**

represented by **Joel Alan Gaffney**
(See above for address)

Miscellaneous --court use only
Associated Case in BAP, Appeal
BAP NM-20-015

Trustee

represented by **Clarke C. Coll**

Clarke C. Coll
Trustee
PO Box 2288
Roswell, NM 88202-2288
575-623-2288

PO Box 2288
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575-623-2288
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U.S. Trustee
United States Trustee
PO Box 608
Albuquerque, NM 87103-0608
505 248-6544

represented by **Alice Nystel Page**
Office of the U.S. Trustee
PO Box 608
Albuquerque, NM 87103-0608
505-248-6550
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Filing Date	#	Docket Text
05/21/2013	<u>1</u> (37 pgs)	Chapter 7 Voluntary Petition. Fee Amount \$306 Filed by Fred Dale Van Winkle. (Arvizu, R) (Entered: 05/21/2013 at 11:09:41)
05/21/2013	<u>2</u> (1 pg)	Signature page Filed by Debtor Fred Dale Van Winkle (RE: related document(s) <u>1</u> Voluntary Petition (Chapter 7)). (Arvizu, R) (Entered: 05/21/2013 at 11:10:04)
05/21/2013	<u>3</u> (1 pg)	Debtor has received a briefing from an approved credit counseling agency and does have a certificate from the agency describing the services provided. Filed by Debtor Fred Dale Van Winkle. (Arvizu, R) (Entered: 05/21/2013 at 11:10:14)
05/21/2013	4	Statement of Social Security Number (image restricted) Filed by Debtor Fred Dale Van Winkle. (Arvizu, R) (Entered: 05/21/2013 at 11:10:23)
05/21/2013	<u>5</u> (1 pg)	Disclosure of Compensation. Filed by Debtor Fred Dale Van Winkle. (Arvizu, R) (Entered: 05/21/2013 at 11:10:32)
05/21/2013	<u>6</u> (1 pg)	Statement of Intention. Filed by Debtor Fred Dale Van Winkle. (Arvizu, R) (Entered: 05/21/2013 at 11:10:42)
05/21/2013		Receipt of filing fee for Voluntary Petition (Chapter 7)(13-11743-7) [misc,volp7a] (306.00). Receipt number 2428929, amount 306.00. (U.S. Treasury) (Entered: 05/21/2013 at 11:13:43)
	<u>7</u> (3 pgs; 2 docs)	Meeting of Creditors with 341(a) meeting to be held on 06/18/2013 at 10:00 AM at Roswell: Chaves County Magistrate Court. Debtor Financial Management Certificate Due Date: 08/19/2013. Deadline to object to discharge of debtor under section 727: 08/19/2013. Deadline

05/21/2013		to challenge dischargeability of certain debts under section 523(c): 08/19/2013. (Arvizu, R) (Entered: 05/21/2013 at 11:13:53)
05/21/2013	8 (1 pg)	Certification that Debtor has No Spouse, Pursuant to NM LBR 1002-1(a)(1). Filed by Debtor Fred Dale Van Winkle. (Arvizu, R) (Entered: 05/21/2013 at 11:14:25)
05/21/2013		Set Judge Code Flag to JR (Jacobvitz-Roswell) . (jas) (Entered: 05/21/2013 at 12:32:34)
05/21/2013		Debtors entitlement to automatic stay protection may be affected due to a previously dismissed case that was pending within one year before the filing of this case.* Prior bankruptcy case number and district: 13-11-13861 JR, District of NM* File date of prior case: 8/29/2011* Dismissal date of prior case: 2/27/2013* Reason for dismissal: Other reason (jas) (Entered: 05/21/2013 at 12:37:12)
05/23/2013	9 (4 pgs)	BNC Certificate of Notice (RE: related document(s) 7 Meeting (Chapter 7)). No. of Notices: 7. Notice Date 05/23/2013. (Admin.) (Entered: 05/24/2013 at 02:20:21)
05/27/2013	10 (1 pg)	Certificate of Service of Tax Information on Requestor Filed by Debtor Fred Dale Van Winkle. (Arvizu, R) (Entered: 05/27/2013 at 12:38:01)
06/18/2013		Meeting of Creditors Held and Concluded. Debtor appeared. (Coll, Clarke) (Entered: 06/18/2013 at 13:50:32)
06/18/2013		Trustee's Report of Assets. Filed by Trustee Clarke C. Coll. (Coll, Clarke) (Entered: 06/18/2013 at 14:16:21)
06/18/2013	11 (7 pgs; 3 docs)	Application to Employ: Clarke C. Coll & Coll Bros. Law, LLC as Attorney for Trustee Filed by Trustee Clarke C. Coll. (Attachments: # 1 Exhibit Disclosure # 2 Exhibit Verified Statement)(Coll, Clarke) (Entered: 06/18/2013 at 17:13:08)
06/19/2013	12 (2 pgs; 2 docs)	Notice of Possible Dividend. The deadline to file a proof of claim for all creditors except governmental units is not later than 90 days after the date of service of this notice. For creditors which are governmental units, the deadline to file a proof of claim is the LATER of (1) 180 days after the date of the order for relief/voluntary petition OR (2) 90 days after the date of service of this notice . (ljg) (Entered: 06/19/2013 at 09:01:38)
06/20/2013	13 (2 pgs)	Chapter 7 Trustee's Interim Report Filed by Trustee Clarke C. Coll. (Coll, Clarke) (Entered: 06/20/2013 at 10:38:27)

06/20/2013	<u>14</u> (3 pgs; 2 docs)	Order Permitting Employment of Clark C. Coll and Coll Bros. Law, LLC. as Attorney for Trustee (Related Doc # <u>11</u>) (far) (Entered: 06/20/2013 at 16:10:54)
06/21/2013	<u>15</u> (3 pgs)	BNC Certificate of Notice (RE: related document(s) <u>12</u> Notice of Possible Dividend). No. of Notices: 7. Notice Date 06/21/2013. (Admin.) (Entered: 06/21/2013 at 22:57:30)
08/05/2013	<u>16</u> (3 pgs; 2 docs)	Notice of requirement to file a statement regarding completion of a course in personal financial management - (Ch 7) (RE: related document(s) <u>7</u> Meeting (Chapter 7)). (jas) (Entered: 08/05/2013 at 10:25:07)
08/07/2013	<u>17</u> (4 pgs)	BNC Certificate of Notice (RE: related document(s) <u>16</u> Notice of requirement to file a stmt regarding completion of a course in personal financial management - (Ch 7)). No. of Notices: 1. Notice Date 08/07/2013. (Admin.) (Entered: 08/07/2013 at 22:56:53)
08/08/2013	<u>18</u> (2 pgs)	Certification of Completion of Instructional Course Concerning Personal Financial Management as to Filed by Debtor Fred Dale Van Winkle (RE: related document(s) <u>7</u> Meeting (Chapter 7)). (Arvizu, R) (Entered: 08/08/2013 at 13:19:39)
08/26/2013	<u>19</u> (3 pgs; 2 docs)	Order Discharging Debtor(s) (Admin.) (Entered: 08/26/2013 at 08:13:05)
08/28/2013	<u>20</u> (4 pgs)	BNC Certificate of Notice (RE: related document(s) <u>19</u> Order Discharging Debtor(s)). No. of Notices: 8. Notice Date 08/28/2013. (Admin.) (Entered: 08/28/2013 at 23:00:47)
08/30/2013	<u>21</u> (20 pgs)	Motion for Relief from Stay as to. Fee Amount \$176. Filed by Debtor Belleview Land Co., Inc.. (Martin Jr., W. T.) (Entered: 08/30/2013 at 11:02:22)
08/30/2013		Receipt of filing fee for Motion for Relief From Stay(13-11743-j7) [motion,mrlfsty] (176.00). Receipt number 2539866, amount 176.00. (U.S. Treasury) (Entered: 08/30/2013 at 11:04:58)
08/30/2013	<u>22</u> (4 pgs)	Notice of Deadline to File Objections: Notice served 30th of August 2013. Number of days in objection period: 21. Notice given to parties listed. (RE: related document(s) <u>21</u> Motion for Relief From Stay). (Martin Jr., W. T.) (Entered: 08/30/2013 at 11:07:38)
09/23/2013	<u>23</u> (4 pgs)	Motion to Avoid Lien with Belleview Valley Land Co., John Williams and Ellen Bl. Williams. Filed by Debtor Fred Dale Van Winkle. (Arvizu, R) (Entered: 09/23/2013 at 09:02:49)

09/23/2013	<u>24</u> (2 pgs)	Notice of Deadline to File Objections: Notice served September 23, 2013. Number of days in objection period: 21 days plus 3 days mailing. Notice given to parties listed. (RE: related document(s) <u>23</u> Motion to Avoid Lien). (Arvizu, R) (Entered: 09/23/2013 at 09:08:09)
09/23/2013	<u>25</u> (1 pg)	Response (RE: related document(s) <u>21</u> Motion for Relief From Stay). Filed by Debtor Fred Dale Van Winkle (Arvizu, R) (Entered: 09/23/2013 at 09:13:30)
09/25/2013	<u>26</u> (1 pg)	Response (RE: related document(s) <u>21</u> Motion for Relief From Stay). Filed by Creditor Brian Van Winkle (jas) (Entered: 09/25/2013 at 11:03:48)
10/08/2013	<u>27</u> (3 pgs)	Reply (RE: related document(s) <u>21</u> Motion for Relief From Stay). Filed by Debtor Belleview Land Co., Inc. (Martin Jr., W. T.) (Entered: 10/08/2013 at 13:50:31)
10/08/2013	<u>28</u> (3 pgs)	Amended Response (RE: related document(s) <u>21</u> Motion for Relief From Stay). Filed by Debtor Belleview Land Co., Inc. (Martin Jr., W. T.) (Entered: 10/08/2013 at 14:13:01)
10/08/2013	<u>29</u> (8 pgs)	Reply (RE: related document(s) <u>21</u> Motion for Relief From Stay). Filed by Debtor Belleview Land Co., Inc. (Martin Jr., W. T.) (Entered: 10/08/2013 at 14:29:18)
10/08/2013	<u>30</u> (5 pgs)	Reply (RE: related document(s) <u>23</u> Motion to Avoid Lien). Filed by Debtor Belleview Land Co., Inc. (Martin Jr., W. T.) (Entered: 10/08/2013 at 15:02:07)
11/12/2013	<u>31</u> (3 pgs)	Notice of hearing (RE: related document(s) <u>21</u> Motion for Relief From Stay). Confirmation hearing to be held on 11/25/2013 at 11:00 AM at Judge Jacobvitz's Courtroom. (Martin Jr., W. T.) (Entered: 11/12/2013 at 11:42:20)
11/26/2013	<u>32</u> (1 pg)	Minutes of Hearing held on 11/25/2013 (RE: <u>21</u> Motion for Relief From Stay. (cmw) (Entered: 11/26/2013 at 11:45:01)
12/04/2013	<u>33</u> (4 pgs; 2 docs)	Order Lifting Stay as to Debtor's Otero County Property (Related document <u>21</u> Motion for Relief from Stay. Modified docket text to correct linkage on 4/15/2014 (crl). (Entered: 12/04/2013 at 13:24:12)
05/01/2014	<u>34</u> (2 pgs)	Chapter 7 Trustee's Interim Report Filed by Trustee Clarke C. Coll. (Coll, Clarke) (Entered: 05/01/2014 at 17:29:06)
07/21/2014	<u>35</u> (1 pg)	Suggestion of Death of Debtor Filed by Debtor Fred Dale Van Winkle. (Arvizu, R) (Entered: 07/21/2014 at 15:30:08)

08/04/2014	<u>36</u> (1 pg)	Notice of hearing (RE: related document(s) <u>23</u> Motion to Avoid Lien, <u>30</u> Reply). Preliminary hearing to be held on 8/25/2014 at 03:15 PM in Judge Jacobvitz's Hearing Room. (Arvizu, R) (Entered: 08/04/2014 at 15:51:28)
08/27/2014	<u>37</u> (2 pgs)	Minutes of Hearing held on 8/25/2014 re <u>23</u> Motion to Avoid Lien of Bellview Valley Land Company, John Williams and Ellen Williams. (cmw) (Entered: 08/27/2014 at 15:15:05)
09/19/2014	<u>38</u> (3 pgs)	Motion For Sale of Property under Section 363(b) Filed by Trustee Clarke C. Coll. (Coll, Clarke) (Entered: 09/19/2014 at 16:26:33)
09/19/2014	<u>39</u> (3 pgs; 2 docs)	Notice of Deadline to File Objections: Notice served 9/19/2014. Number of days in objection period: 21. Notice given to parties listed. (RE: related document(s) <u>38</u> Motion for Sale of Property under Section 363(b)). (Attachments: # <u>1</u> Index Mailing Matrix) (Coll, Clarke) (Entered: 09/19/2014 at 16:47:52)
09/22/2014	<u>40</u> (7 pgs)	Stipulated Facts Regarding Van Winkle Residence in Ruidoso, New Mexico by and between Belleview Land Co., Inc. Filed by Creditor Belleview Land Co., Inc.. (Martin Jr., W. T.) Modified text on 9/23/2014 to note title of document (pts). (Entered: 09/22/2014 at 16:12:45)
10/06/2014	<u>41</u> (7 pgs)	Brief/Memorandum Filed by Creditor Belleview Land Co., Inc. (RE: related document <u>40</u> Stipulated Facts regarding Van Winkle Residence in Ruidoso, New Mexico). (Martin Jr., W. T.) Modified texton 10/6/2014 to add linkage (pts). (Entered: 10/06/2014 at 15:34:03)
10/06/2014	<u>42</u> (3 pgs; 2 docs)	Order Resulting from Preliminary Hearing (RE: <u>23</u> Motion to Avoid Lien filed by Debtor Fred Dale Van Winkle. (cmw) (Entered: 10/06/2014 at 15:38:36)
10/06/2014	<u>43</u> (2 pgs)	Brief/Memorandum Filed by Debtor Fred Dale Van Winkle (RE: related document(s) <u>40</u> Stipulation). (Arvizu, R) (Entered: 10/06/2014 at 17:05:17)
10/15/2014	<u>44</u> (3 pgs; 2 docs)	Order Granting Tr's Motion For Sale of Property of the Estate to Tommy Sprague under Section 363(b) (Related Doc # <u>38</u>) (cmw) (Entered: 10/15/2014 at 14:07:22)
11/14/2014	<u>45</u> (6 pgs; 2 docs)	Order Regarding Motion to Avoid Judicial Lien and Setting Scheduling Conference (RE: related document(s) <u>23</u> Motion to Avoid Lien filed by Debtor Fred Dale Van Winkle). Scheduling conference set for November 24, 2014 at 3:00 p.m. (pgh) (Entered: 11/14/2014 at 16:35:47)


11/25/2014	46 (1 pg)	Minutes of Hearing held on 11/24/2014 re 23 Motion to Avoid Lien. Final hearing to be held on 2/10/2015 at 01:00 PM at Roswell: 500 N. Richardson St. (cmw) (Entered: 11/25/2014 at 14:51:43)
11/26/2014	47 (3 pgs; 2 docs)	Order Resulting from Preliminary Hearing. Final hearing to be held on 2/10/2015 at 01:00 PM at Roswell: 500 N. Richardson St. (cmw). Related document(s) 23 Motion to Avoid Lien with Bellevue Valley Land Co., John Williams and Ellen Bl. Williams. filed by Debtor Fred Dale Van Winkle. (Entered: 11/26/2014 at 14:03:16)
12/02/2014	48 (1 pg)	Report of Sale Filed by Trustee Clarke C. Coll. (Coll, Clarke) (Entered: 12/02/2014 at 11:39:09)
12/03/2014	49 (4 pgs; 2 docs)	Application to Employ: Steven W. Johnson, CPA, LLC as Accountant for Trustee Filed by Trustee Clarke C. Coll. (Attachments: # 1 Exhibit Disclosure Statement) (Coll, Clarke) (Entered: 12/03/2014 at 09:19:27)
12/03/2014	50 (3 pgs; 2 docs)	Notice of Deadline to File Objections: Notice served 12/03/2014. Number of days in objection period: 21. Notice given to parties listed. (RE: related document(s) 49 Application to Employ). (Attachments: # 1 Index Mailing Matrix) (Coll, Clarke) (Entered: 12/03/2014 at 09:27:22)
12/15/2014	51 (6 pgs; 2 docs)	Application for Compensation for Clarke C. Coll, Trustee's Attorney, Period: 6/18/2013 to 12/15/2014, Fees: \$1,842.55, Expenses: \$39.69. Filed by Attorney Clarke C. Coll. (Attachments: # 1 Exhibit Exhibit A) (Coll, Clarke) Modified text on 12/16/2014 to note type of attorney (pts). (Entered: 12/15/2014 at 15:59:49)
12/15/2014	52 (3 pgs; 2 docs)	Notice of Deadline to File Objections: Notice served 12/15/2014. Number of days in objection period: 21. Notice given to parties listed. (RE: related document(s) 51 Application for Compensation). (Attachments: # 1 Index Mailing Matrix) (Coll, Clarke) (Entered: 12/15/2014 at 16:05:23)
01/05/2015	53 (3 pgs; 2 docs)	Application for Compensation for Steven W. Johnson, Trustee's Accountant, Period: 12/3/2014 to 12/10/2014, Fees: \$454.50, Expenses: \$37.21. Filed by Attorney Clarke C. Coll. (Attachments: # 1 Exhibit Acct Invoice detail) (Coll, Clarke) Modified text on 1/6/2015 to note actual role type (pts). (Entered: 01/05/2015 at 14:43:10)
01/07/2015	54 (4 pgs; 2 docs)	Order Granting Application to Employ Steven W. Johnson, CPA as Accountant for Trustee. (Related Doc # 49) (cmw) (Entered: 01/07/2015 at 09:32:13)


01/08/2015	<u>55</u> (3 pgs; 2 docs)	Order Granting First and Final Application For Compensation (Related Doc # <u>53</u>) for Steven W. Johnson, fees awarded: \$491.71, expenses awarded: \$0.00. (jas) (Entered: 01/08/2015 at 13:06:28)
01/09/2015	<u>56</u> (4 pgs; 2 docs)	Order Allowing Compensation of Attorneys for Chapter 7 Trustee and Authorizing Chapter 7 Trustee's Payment (Related Doc <u>51</u>) for Clarke C. Coll, fees awarded: \$1842.55, expenses awarded: \$36.69. (pts) . (Entered: 01/09/2015 at 15:49:35)
01/09/2015	<u>57</u> (4 pgs)	BNC Certificate of Notice (RE: related document(s) <u>54</u> Order on Application to Employ). No. of Notices: 1. Notice Date 01/09/2015. (Admin.) (Entered: 01/09/2015 at 22:50:08)
01/21/2015	<u>58</u> (1 pg)	Withdrawal of Claim # 5 Filed by Creditor Brian Van Winkle. (Arvizu, R) (Entered: 01/21/2015 at 15:02:51)
01/27/2015	<u>59</u> (6 pgs; 2 docs)	Stipulated Order Resolving Debtor's Motion To Avoid Lien of Belleview Valley Land Co., John Williams and Ellen B. Williams. (Related Doc # <u>23</u>) (cmw) (Entered: 01/27/2015 at 09:37:31)
03/13/2015	<u>60</u> (8 pgs)	Trustee's Final Report (TFR). Application for Compensation for Clarke C. Coll, Trustee Chapter 7, Period: 5/21/2013 to 1/27/2015, Fees: \$2,551.80, Expenses: \$318.37. Filed by Attorney Clarke C. Coll. (Coll, Clarke) (Entered: 03/13/2015 at 12:50:39)
03/13/2015	<u>61</u> (6 pgs; 2 docs)	Notice of Deadline to File Objections: Notice served 3/13/2015. Number of days in objection period: 21. Notice given to parties listed. Filed by Trustee Clarke C. Coll (RE: related document(s) <u>60</u> Trustee's Final Report (TFR) and Application for Compensation filed by Trustee Clarke C. Coll). (Attachments: # <u>1</u> Index Mailing Matrix) (Coll, Clarke) (Entered: 03/13/2015 at 12:56:57)
03/16/2015		The United States Trustee has reviewed the Chapter 7 Trustee's Final Report, Application for Compensation and Application(s) for Compensation of Professionals Filed by U.S. Trustee United States Trustee (RE: related document(s) <u>60</u> Trustee's Final Report (TFR) and Application for Compensation filed by Trustee Clarke C. Coll). (Page, Alice) (Entered: 03/16/2015 at 11:59:57)
03/18/2015	<u>62</u> (5 pgs)	Amended Schedules: Schedule B, Filed by Debtor Fred Dale Van Winkle. (Arvizu, R) (Entered: 03/18/2015 at 11:08:44)
03/18/2015	<u>63</u> (1 pg)	Notice of Amendment (RE: related document(s) <u>62</u> Amended Schedules). (Arvizu, R) (Entered: 03/18/2015 at 11:26:21)
03/20/2015	<u>64</u> (2 pgs)	Motion to Compel Abandonment of Property Filed by Debtor Fred Dale Van Winkle. (Arvizu, R) (Entered: 03/20/2015 at 08:35:10)

03/20/2015	<u>65</u> (4 pgs)	Notice of Deadline to File Objections: Notice served March 20, 2015. Number of days in objection period: 21 plus 3 days mailing. Notice given to parties listed. (RE: related document(s) <u>64</u> Motion to Compel). (Arvizu, R) (Entered: 03/20/2015 at 09:45:14)
03/20/2015	<u>66</u> (1 pg)	Notice of hearing (RE: related document(s) <u>64</u> Motion to Compel). Preliminary hearing to be held on 4/15/2015 at 10:00 AM in Judge Jacobvitz's Hearing Room. (Arvizu, R) (Entered: 03/20/2015 at 09:46:56)
03/20/2015		Fee Due re: Motion to Compel Abandonment filed by R Trey Arvizu III. Fee Amount \$176. The wrong docket event or the wrong fee selection was made when filing the (RE: related document(s) <u>64</u> Motion to Compel). (ac) (Entered: 03/20/2015 at 11:07:49)
03/21/2015		Receipt of filing fee for Motion to Compel Abandonment(13-11743-j7) (176.00). Receipt number 3048637, amount 176.00. (U.S. Treasury) (Entered: 03/21/2015 at 06:51:29)
04/15/2015	<u>67</u> (3 pgs; 2 docs)	Order Granting Motion To Compel Abandonment of Property. (Related Doc # <u>64</u>) (cmw) (Entered: 04/15/2015 at 16:55:09)
04/15/2015	<u>68</u> (3 pgs; 2 docs)	Order Abandoning Assets pursuant to 11 USC 554. (cmw) (Entered: 04/15/2015 at 16:57:26)
04/16/2015	<u>69</u> (3 pgs; 2 docs)	Order Approving Trustee's Final Report, Court Costs, and Trustee's Commission and Expenses (Re: Trustee's Application for Compensation (Related Doc # <u>60</u>) for Clarke C. Coll, fees awarded: \$2551.80, expenses awarded: \$318.37) (ac) (Entered: 04/16/2015 at 12:34:11)
06/23/2015	<u>70</u> (8 pgs)	Trustee's Final Distribution Report (TDR). Filed by Trustee Clarke C. Coll. (Coll, Clarke) (Entered: 06/23/2015 at 19:43:55)
06/24/2015	<u>71</u> (13 pgs)	Adversary case 15-01047. (91 (Declaratory judgment)), (72 (Injunctive relief - other)), (14 (Recovery of money/property - other)): Complaint by Tammy Sprague as PR for the estate of Fred Dale Van Winkle against Belleview Vallley Land Co., John Williams, Ellen B. Williams. Receipt Number: not due, Fee Amount of \$350 is Not Due. (Arvizu, R) (Entered: 06/24/2015 at 09:24:29)
		The United States Trustee has reviewed the Chapter 7 Trustee's Final Distribution Report, Certification that the Estate has been Fully Administered and Application of Trustee to be Discharged. The United States Trustee does not object to the relief requested. Filed by U.S. Trustee United States Trustee (RE: related document(s) <u>70</u>

06/24/2015		Trustee's Distribution Report (TDR) filed by Trustee Clarke C. Coll). (Page, Alice) (Entered: 06/24/2015 at 10:26:25)
06/25/2015	<u>72</u> (2 pgs; 2 docs)	Final Decree . (ac) (Entered: 06/25/2015 at 14:52:47)
06/25/2015		Bankruptcy Case Closed . (ac) (Entered: 06/25/2015 at 14:58:02)
01/20/2016	<u>73</u> (2 pgs)	Motion to Reopen Chapter 7 Case Per Court request in Adversary No. 1047, Docket #27. Fee Amount \$260. Filed by Debtor Fred Dale Van Winkle. (Arvizu, R) (Entered: 01/20/2016 at 15:44:45)
01/20/2016		Receipt of filing fee for Motion to Reopen Chapter 7 Case(13-11743-j7) [motion,mreop7] (260.00). Receipt number 3309400, amount 260.00. (U.S. Treasury) (Entered: 01/20/2016 at 15:45:28)
01/27/2016	<u>74</u> (2 pgs; 2 docs)	Order Granting Motion To Reopen Chapter 7 Case (Related Doc # <u>73</u>) (pgH) (Entered: 01/27/2016 at 17:10:29)
01/27/2016	<u>75</u> (2 pgs; 2 docs)	Order Transferring Case. Involvement of Judge Robert H. Jacobvitz terminated, Judge David T. Thuma added to case. (pgH) (Entered: 01/27/2016 at 17:13:12)
04/04/2017	<u>76</u> (2 pgs)	Certificate of Service <i>Notice of Deposition of Tammy Sprague</i> served April 4, 2017; to those indicated on certificate Filed by Creditor Belleview Land Co., Inc.. (Martin Jr., W. T.) (Entered: 04/04/2017 at 13:23:00)
04/04/2017	<u>77</u> (2 pgs)	Amended Certificate of Service <i>Notice of Deposition of Tammy Sprague</i> served APRIL 4, 2017; to those indicated on certificate Filed by Creditor Belleview Land Co., Inc.. (Martin Jr., W. T.) (Entered: 04/04/2017 at 13:41:46)
06/18/2019		Case Reclosed . (pts) (Entered: 06/18/2019 at 07:19:11)
06/18/2019	<u>78</u> (66 pgs; 16 docs)	Motion Request for recognizing Brian Van Winkle's right of intervention as Estate Personal Representative and, simultaneous request for removal of a State Court ruling action. Filed by Creditor Brian Van Winkle. (Attachments: # <u>1</u> Attachment, # <u>2</u> Attachment, # <u>3</u> Attachment, # <u>4</u> Attachment, # <u>5</u> Attachment, # <u>6</u> Attachment, # <u>7</u> Attachment, # <u>8</u> Pic 1, # <u>9</u> Pic 2, # <u>10</u> pic 3, # <u>11</u> Pic 4, # <u>12</u> Pic 5, # <u>13</u> Pic 6, # <u>14</u> Pic 7, # <u>15</u> Pic 8) (pts) (Entered: 06/19/2019 at 16:41:36)
	<u>79</u> (14 pgs; 3 docs)	Response To Motion To Request For Recognizing Brian Van Winkles Right Of Intervention As Estate PR And Simultaneous Request For Removal Of A State Court Ruling Action. (Attachments: # <u>1</u> Exhibit

06/26/2019		Exhibit A # 2 Exhibit Exhibit B) Filed by Creditor Bellevue Land Co., Inc. (Martin Jr., W. T.) (Entered: 06/26/2019 at 15:29:23)
07/10/2019	80 (2 pgs; 2 docs)	Notice of Preliminary Hearing. (RE: related document(s) 78 Generic Motion). Preliminary hearing to be held on 8/12/2019 at 09:30 AM in Judge Thuma's Hearing Room. (kcw) (Entered: 07/10/2019 at 10:56:15)
07/12/2019	81 (2 pgs)	BNC Certificate of Notice (RE: related document(s) 80 Notice of Hearing). No. of Notices: 2. Notice Date 07/12/2019. (Admin.) (Entered: 07/12/2019 at 22:32:15)
07/18/2019	82 (12 pgs)	Expressing the Trust. Filed by Creditor Brian Van Winkle. Modified on 7/19/2019 to add Mr. Van Winkle as filer. (Baca, Jenny Renee) (Entered: 07/19/2019 at 08:04:46)
07/29/2019	83 (2 pgs)	Emergency Motion or Stay of District Court Proceedings Filed by Creditor Brian Van Winkle . (mrm) (Entered: 07/30/2019 at 11:58:55)
08/08/2019	84 (2 pgs)	Notice of Entry of Appearance and Request for Notice WITHDRAWN . Filed by W. T. Martin Jr. of Martin Dugan & Martin on behalf of Creditor Bellevue Land Co., Inc.. (Martin Jr., W. T.) Modified on 8/9/2019 to note 89 Withdrawal of Document (Stephens, Patty). (Entered: 08/08/2019 at 11:29:28)
08/08/2019	85 (4 pgs; 2 docs)	Order Denying Emergency Motion for Stay of District Court Proceedings (Related Doc # 83) (NHA) (Entered: 08/08/2019 at 15:36:04)
08/09/2019	86 (2 pgs)	Withdrawal of Document Filed by Creditor Bellevue Land Co., Inc. (RE: related document(s) 84 Notice of Entry of Appearance). (Martin Jr., W. T.) (Entered: 08/09/2019 at 09:41:59)
08/09/2019	87 (2 pgs)	Notice of Entry of Appearance and Request for Notice WITHDRAWN . Filed by W. T. Martin Jr. of Martin Dugan & Martin on behalf of Creditor Bellevue Land Co., Inc.. (Martin Jr., W. T.) Modified on 8/9/2019 to note 89 Withdrawal of Document (Stephens, Patty). (Entered: 08/09/2019 at 09:43:54)
08/09/2019	88 (2 pgs)	Withdrawal of Document Filed by Creditor Bellevue Land Co., Inc. (RE: related document(s) 87 Notice of Entry of Appearance). (Martin Jr., W. T.) (Entered: 08/09/2019 at 11:32:45)
	89 (2 pgs)	Withdrawal of Document Filed by Creditor Bellevue Land Co., Inc. (RE: related document(s) 84 Notice of Entry of Appearance, 87 Notice of Entry of Appearance). (Martin Jr., W. T.) (Entered: 08/09/2019 at 11:32:45)

08/09/2019		08/09/2019 at 12:00:49)
08/09/2019	90 (3 pgs)	Notice of Entry of Appearance and Request for Notice WITHDRAWN . Filed by Kenneth Dugan of Martin, Dugan & Martin on behalf of Creditor Bellevue Land Co., Inc.. (Dugan, Kenneth) Modified on 8/12/2019 to note 91 Withdrawal of Document (Stephens, Patty). (Entered: 08/09/2019 at 16:15:07)
08/09/2019	91 (2 pgs)	Withdrawal of Document Filed by Creditor Bellevue Land Co., Inc. (RE: related document(s) 90 Notice of Entry of Appearance). (Dugan, Kenneth) (Entered: 08/09/2019 at 16:23:41)
08/09/2019	92 (2 pgs)	Notice of Entry of Appearance and Request for Notice. Filed by Kenneth Dugan of Martin, Dugan & Martin on behalf of Creditor Bellevue Land Co., Inc.. (Dugan, Kenneth) (Entered: 08/09/2019 at 16:28:18)
08/10/2019	93 (4 pgs)	BNC Certificate of Notice (RE: related document(s) 85 Order on Motion to Stay). No. of Notices: 1. Notice Date 08/10/2019. (Admin.) (Entered: 08/10/2019 at 22:49:39)
08/16/2019		TEXT ONLY ENTRY OF HEARING MINUTES. THERE ARE NO DOCUMENTS ATTACHED. Start Time: 9:58 a.m. End Time: 10:14 a.m.; Preliminary Hearing held on August 12, 2019. Appearances: Attorney for Debtor: Trey Arvizu; Brian Van Winkle, pro se; Attorney for Creditor Bellview Land Co.; W.T. Martin Jr.; Interested Party: Jennie Behles (RE: related document(s) 78 Generic Motion, 80 Notice of Hearing). Court to prepare Order on Motion Request for Recognizing Brian Van Winkles Right of Intervention (crl) (Entered: 08/16/2019 at 11:40:33)
08/16/2019	94 (3 pgs; 2 docs)	Order on Motion Request for Recognizing Brian Van Winkle's Right of Intervention as Estate Personal Representative and, Request for Removal of a State Court Ruling Action (Related Doc # 78) (crl) (Entered: 08/16/2019 at 11:42:33)
08/18/2019	95 (3 pgs)	BNC Certificate of Notice (RE: related document(s) 94 Order on Motion (Generic)). No. of Notices: 1. Notice Date 08/18/2019. (Admin.) (Entered: 08/18/2019 at 22:30:33)
08/20/2019	96 (1 pg)	 PDF with attached Audio File. Court Date & Time [8/12/2019 9:58:45 AM]. File Size [10356 KB]. Run Time [02:52:36]. (admin). (Entered: 08/20/2019 at 14:30:02)
09/26/2019		Adversary Case 1:15-ap-1047 Closed. (crl) (Entered: 09/26/2019 at 11:12:37)

11/19/2019	<u>97</u> (9 pgs)	Motion to Reopen Chapter 7 Case to bring an adversary proceeding for violation of the discharge under Section 524. Receipt Number NOT DUE, Fee Amount of \$ 260 is Not Due. Filed by Debtors Designated Representatives Brian Van Winkle, Tammy Sprague. (Gaffney, Joel) (Entered: 11/19/2019 at 12:26:23)
11/19/2019	<u>98</u> (1 pg)	Notice of Deadline to File Objections: Notice served November 19, 2019. Number of days in objection period: 21. Notice given to parties listed. (RE: related document(s) <u>97</u> Motion to Reopen Chapter 7 Case). (Gaffney, Joel) (Entered: 11/19/2019 at 12:51:18)
12/05/2019	<u>99</u> (139 pgs; 3 docs)	Response to Motion To Reopen Case. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit) Filed by Creditor Belleview Land Co., Inc. (Martin Jr., W. T.) (Entered: 12/05/2019 at 09:14:56)
12/30/2019	<u>100</u> (7 pgs; 2 docs)	Reply to Response to Motion to Reopen Case (RE: related document(s) <u>97</u> Motion to Reopen Chapter 7 Case, <u>99</u> Response). (Attachments: # <u>1</u> Exhibit A - Letters of Administration) Filed by Debtors Designated Representatives Tammy Sprague, Brian Van Winkle (Gaffney, Joel) (Entered: 12/30/2019 at 10:23:39)
12/30/2019	<u>101</u> (1 pg)	Notice of hearing (RE: related document(s) <u>97</u> Motion to Reopen Chapter 7 Case). Preliminary hearing to be held on 1/13/2020 at 09:30 AM in Judge Thuma's Hearing Room. (Gaffney, Joel) Modified text to add location of hearing on 12/31/2019 (Rael, Frances). (Entered: 12/30/2019 at 10:38:32)
01/14/2020		TEXT ONLY ENTRY OF HEARING MINUTES. THERE ARE NO DOCUMENTS ATTACHED. Start Time: 10:17 a.m. End Time: 10:37 a.m.; Preliminary Hearing held on January 13, 2020. Appearances: Attorney for Belleview Land Co: Kenneth Dugan; Attorney for Movant: Joel Gaffney (RE: related document(s) <u>97</u> Motion to Reopen Chapter 7 Case, <u>101</u> Notice of Hearing). Gaffney to file amended Motion to Reopen within 10 days; Responses due within 10 days; Judge to rule on the papers; Matter taken under advisement. (crl) (Entered: 01/14/2020 at 14:37:47)
01/14/2020	<u>102</u> (1 pg)	 PDF with attached Audio File. Court Date & Time [1/13/2020 10:17:41 AM]. File Size [12939 KB]. Run Time [03:35:39]. (admin). (Entered: 01/14/2020 at 15:45:02)
<u>01/23/2020</u>	<u>103</u> (19 pgs)	Supplement Filed by Debtors Designated Representatives Tammy Sprague, Brian Van Winkle (RE: related document(s) <u>97</u> Motion to Reopen Chapter 7 Case). (Gaffney, Joel) (Entered: 01/23/2020 at 20:07:49)
	<u>104</u>	Response To Supplement To Reopen Case (RE: related document(s) <u>97</u>

01/31/2020	(28 pgs; 2 docs)	Motion to Reopen Chapter 7 Case). (Attachments: # 1 Exhibit A-C) Filed by Creditor Bellevue Land Co., Inc. (Martin Jr., W. T.). Related document(s) 103 Supplement filed by Debtors Designated Representative Tammy Sprague, Debtors Designated Representative Brian Van Winkle. Modified on 2/3/2020 to add linkage to the Supplement doc #103 (Stephens, Patty). (Entered: 01/31/2020 at 15:34:56)
03/13/2020	105 (11 pgs; 2 docs)	Memorandum Opinion (RE: related document(s) 97 Motion to Reopen Chapter 7 Case filed by Debtors Designated Representative Tammy Sprague, Debtors Designated Representative Brian Van Winkle). (kmc) (Entered: 03/13/2020 at 15:30:42)
03/13/2020	106 (2 pgs; 2 docs)	Order Granting Motion To Reopen Chapter 7 Case (Related Doc # 97) (mrm) (Entered: 03/13/2020 at 16:29:28)
03/15/2020	107 (11 pgs)	BNC Certificate of Notice (RE: related document(s) 105 Memorandum Opinion). No. of Notices: 4. Notice Date 03/15/2020. (Admin.) (Entered: 03/15/2020 at 22:34:43)
03/15/2020	108 (2 pgs)	BNC Certificate of Notice (RE: related document(s) 106 Order on Motion to Reopen Chapter 7 Case). No. of Notices: 4. Notice Date 03/15/2020. (Admin.) (Entered: 03/15/2020 at 22:34:43)
03/16/2020	109 (1 pg)	Notice of Appointment and Designation of Required Bond of Clarke C. Coll. Filed by United States Trustee. (Johnson, Mary) (Entered: 03/16/2020 at 14:19:42)
03/26/2020	110 (16 pgs; 2 docs)	Notice of Appeal and Statement of Election to BAP. Fee Amount \$298. Filed by Creditor Bellevue Land Co., Inc.. Appellant Designation due by 04/9/2020. (Attachments: # 1 Exhibit A-B) (Martin Jr., W. T.) (Entered: 03/26/2020 at 14:34:48)
03/26/2020		Receipt of filing fee for Notice of Appeal and Statement of Election(13-11743-t7) [appeal,ntcaple] (298.00). Receipt number A4663122, amount 298.00. (re:Doc# 110) (U.S. Treasury) (Entered: 03/26/2020 at 14:39:01)
03/26/2020	111 (8 pgs)	Adversary case 20-01022. (91 (Declaratory judgment)), (14 (Recovery of money/property - other)): Complaint by Brian Van Winkle, Tammy Sprague against Bellevue Valley Land Co., Inc., John Williams, Ellen Williams. Fee Amount \$350. (Gaffney, Joel) (Entered: 03/26/2020 at 17:31:36)
		TEXT-ONLY NOTICE by Clerk of Court: Notice of Docketing Appeal to BAP. Case Number: BAP NM 20-015 THIS IS A TEXT-

03/26/2020		ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. (RE: related document(s) 110 Notice of Appeal and Statement of Election). (lmb) (Entered: 03/27/2020 at 08:45:14)
03/27/2020	112	Chapter 7 Trustee's Report of No Distribution: I, Clarke C. Coll, having been appointed trustee of the estate of the above-named debtor(s), report that I have neither received any property nor paid any money on account of this estate; that I have made a diligent inquiry into the financial affairs of the debtor(s) and the location of the property belonging to the estate; and that there is no property available for distribution from the estate over and above that exempted by law. Pursuant to Fed R Bank P 5009, I hereby certify that the estate of the above-named debtor(s) has been fully administered. I request that I be discharged from any further duties as trustee. Key information about this case as reported in schedules filed by the debtor(s) or otherwise found in the case record: This case was pending for 0 months. Assets Abandoned (without deducting any secured claims): \$ 321254.32, Assets Exempt: \$ 70400.00, Claims Scheduled: \$ 301874.23, Claims Asserted: Not Applicable, Claims scheduled to be discharged without payment (without deducting the value of collateral or debts excepted from discharge): \$ 301874.23. THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. Filed by Trustee Clarke C. Coll. (Coll, Clarke) (Entered: 03/27/2020 at 09:34:32)
03/27/2020	113 (1 pg)	Notice of Change of Responsible Attorney. Attorney R Trey Arvizu, III terminated. Attorney Joel Alan Gaffney added to the case on behalf of Debtor Fred Dale Van Winkle. Filed by Joel Alan Gaffney. (Gaffney, Joel) (Entered: 03/27/2020 at 16:34:18)

PACER Service Center			
Transaction Receipt			
04/09/2020 09:55:48			
PACER Login:	martinlawfirm	Client Code:	Bellevue
Description:	Docket Report	Search Criteria:	13-11743-t7 Fil or Ent: filed From: 1/1/1990 To: 4/9/2020 Doc From: 0 Doc To: 99999999 Term: included Headers: included Format: html Page counts for documents: included
Billable Pages:	10	Cost:	1.00